

S/N 09/454,221

Response to Final Rejection Dated 12/24/2002

EV205822065**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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Inventorship Appiah et al.
Applicant Microsoft Corporation
Group Art Unit 2152
Examiner Willett/Rinehart
Attorney's Docket No. MS1-435US
Title: Printer Driver Identification For A Remote Printer

RESPONSE TO FINAL REJECTION DATED DECEMBER 24, 2002

To: Commissioner of Patents
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Alexandria, VA 22313-1450

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INTRODUCTORY COMMENTS

1
2 This communication is in response to the Final Rejection dated December
3 24, 2002, for which a three-month shortened statutory period for response is set,
4 with a three-month extension, for June 24, 2003. Please amend the above-
5 identified application in accordance with the directions set forth below. The
6 format of this communication is in accordance with the Pre-OG press release titled
7 "Amendments in a Revised Format Now Permitted" ("revised amendment
8 format"), as set forth in the News and Notices section of the official website of the
9 United States Patent and Trademark Office (PTO).
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AMENDMENTS TO THE CLAIMS

Please amend the specification of the present application as set forth below.
In accordance with the PTO's revised amendment format, changes are shown by
strikingthrough (for deleted matter) or underlining (for added matter).

Claims 1-34 were originally filed.

No claims are canceled.

Claims 35-41 are added.

Claims 1, 2, 15, 26, 29, and 33 are amended without prejudice.

Accordingly, claims 1-34 are pending.

1. (Twice Amended) A method in a server-client environment, the method comprising:

receiving at the server a print request from the client for a driver identifier
for a printer that is attached to the client and can print information at the client;

using the driver identifier to select a closest matching driver of a plurality
of drivers to install at the server; and

installing, at the server, the selected driver in order to enable [; and
allowing] applications executing on the server to print to the printer using the
installed driver.

2. (Once Amended) A method as recited in claim 1, [wherein the receiving
comprises receiving the driver identifier from the client] further comprising
printing the applications that are executing on the server at the printer.

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1 3. (Original) A method as recited in claim 1, wherein the driver identifier
2 includes both a driver name and a driver version.

3
4 4. (Original) A method as recited in claim 1, wherein the using comprises
5 accessing a library at the server that stores the plurality of drivers.

6
7 5. (Original) A method as recited in claim 1, wherein:

8 the using comprises checking whether any of the plurality of drivers has a
9 corresponding driver identifier that is the same as the received driver identifier;
10 and

11 if a particular driver of the plurality of drivers has a corresponding driver
12 identifier that is the same as the received driver identifier, then selecting that
13 driver to install at the server.

14
15 6. (Original) A method as recited in claim 1, wherein:

16 the using comprises checking whether any of the plurality of drivers
17 currently has a corresponding driver identifier that is different than the received
18 driver identifier but that corresponds to the same driver as the received driver
19 identifier; and

20 if a particular driver of the plurality of drivers currently has a corresponding
21 driver identifier that is different than the received driver identifier but that
22 corresponds to the same driver as the received driver identifier, then selecting that
23 driver to install at the server.

24

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1 7. (Original) A method as recited in claim 6, wherein one of the plurality of
2 drivers currently has a corresponding driver identifier that is different than the
3 received driver identifier but that corresponds to the same driver because of a
4 driver name change by a source of the driver.

5
6 8. (Original) A method as recited in claim 6, further comprising:
7 issuing a notification that the selected driver currently has a corresponding
8 driver identifier that is different than the received driver identifier but that
9 corresponds to the same driver as the received driver identifier.

10
11 9. (Original) A method as recited in claim 1, wherein:
12 the receiving comprises receiving a driver name and a driver version;
13 the using comprises checking whether any of the plurality of drivers has a
14 corresponding driver name that is the same as the received driver name; and
15 if a particular driver of the plurality of drivers has a corresponding driver
16 name that is the same as the received driver name, then selecting that driver to
17 install at the server.

18
19 10. (Original) A method as recited in claim 9, further comprising:
20 selecting a first driver with a corresponding driver name that is the same as
21 the received driver name to install at the server without regard for whether the
22 received driver version is the same as a corresponding driver version of the first
23 driver.

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11. (Original) A method as recited in claim 9, further comprising:

issuing a notification that the selected driver has a corresponding driver name that is the same as the received driver name but a corresponding driver version that is different than the received driver version.

12. (Original) A method as recited in claim 9, further comprising:

checking whether the selected driver has a corresponding driver version that is the same as the received driver version; and

if the selected driver does not have a corresponding driver version that is the same as the received driver version, then obtaining a new copy of the driver that has the same driver version as the received driver version.

13. (Original) A method as recited in claim 12, further comprising obtaining a new copy of the driver only if the received driver version indicates a more recent version of the driver than is indicated by the driver version corresponding to the selected driver.

14. (Original) At least one computer-readable memory containing a computer program that is executable by a processor to perform the method recited in claim 1.

15. (Amended) A method implemented in a server in a server-client environment, the method comprising:

automatically selecting at least one of a plurality of drivers corresponding to a peripheral device attached to the client; and

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1 installing, at the server, the selected at least one driver wherein the server
2 can interface with the peripheral device using the driver to cause the selected at
3 least one driver to perform an action at the peripheral device using the driver.

4
5 16. (Original) A method as recited in claim 15, wherein the peripheral device
6 comprises a printer.

7
8 17. (Original) A method as recited in claim 15, wherein the automatically
9 selecting comprises using a received driver identifier corresponding to a printer to
10 select a closest matching driver of the plurality of drivers to install at the server.

11
12 18. (Original) A method as recited in claim 15, wherein:

13 the automatically selecting comprises checking whether any of the plurality
14 of drivers has a corresponding driver identifier that is the same as a received driver
15 identifier; and

16 if a particular driver of the plurality of drivers has a corresponding driver
17 identifier that is the same as the received driver identifier, then installing that
18 driver at the server.

19
20 19. (Original) A method as recited in claim 15, wherein:

21 the automatically selecting comprises checking whether any of the plurality
22 of drivers currently has a corresponding driver identifier that is different than a
23 received driver identifier but that corresponds to the same driver as the received
24 driver identifier; and
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1 if a particular driver of the plurality of drivers currently has a corresponding
2 driver identifier that is different than the received driver identifier but that
3 corresponds to the same driver as the received driver identifier, then installing that
4 driver at the server.

5
6 20. (Original) A method as recited in claim 19, further comprising:

7 issuing a notification that the installed driver currently has a corresponding
8 driver identifier that is different than the received driver identifier but that
9 corresponds to the same driver as the received driver identifier.

10
11 21. (Original) A method as recited in claim 15, wherein:

12 the automatically selecting comprises checking whether any of the plurality
13 of drivers has a corresponding driver name that is the same as a received driver
14 name; and

15 if a particular driver of the plurality of drivers has a corresponding driver
16 name that is the same as the received driver name, then installing that driver at the
17 server.

18
19 22. (Original) A method as recited in claim 21, further comprising:

20 selecting a first driver with a corresponding driver name that is the same as
21 the received driver name to install at the server without regard for whether a
22 received driver version is the same as a corresponding driver version of the first
23 driver.

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23. (Original) A method as recited in claim 21, further comprising:

issuing a notification that the installed driver has a corresponding driver name that is the same as the received driver name but a corresponding driver version that is different than the received driver version.

24. (Original) A method as recited in claim 21, further comprising:

checking whether the installed driver has a corresponding driver version that is the same as a received driver version; and

if the selected driver does not have a corresponding driver version that is the same as the received driver version, then obtaining a new copy of the driver that has the same driver version as the received driver version.

25. (Once Amended) The method of claim 15, wherein at least one computer-readable memory contains a computer program that is executable by a processor to perform the method.

26. (Twice Amended) One or more computer-readable media having stored thereon a computer program that, when executed by one or more processors of a server in a client-server system, causes the one or more processors to:

receive a printer driver identifier for a printer attached to a client;

use the printer driver identifier to select one of a plurality of printer drivers to install at the server according to the following,

if a particular printer driver of the plurality of printer drivers has a corresponding printer driver identifier that is the same as the received printer driver identifier, then selecting that particular driver,

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1 if a particular printer driver of the plurality of printer drivers
2 currently has a corresponding printer driver identifier that is different than
3 the received printer driver identifier but that corresponds to the same printer
4 driver as the received printer driver identifier, then selecting that particular
5 printer driver, and

6 if a particular printer driver of the plurality of printer drivers has a
7 corresponding driver name that is the same as a driver name received as
8 part of the printer driver identifier, then selecting that particular printer
9 driver without regard for whether that particular printer driver has a
10 corresponding driver version that is the same as a driver version received as
11 part of the printer driver identifier; and

12 install the selected printer driver at the server in order to enable the
13 selected printer to print.

14
15 27. (Original) A method as recited in claim 26, wherein the server comprises a
16 terminal server and wherein the client comprises a terminal server client.

17
18 28. (Original) A method as recited in claim 26, wherein one of the plurality of
19 printer drivers currently has a corresponding printer driver identifier that is
20 different than the received printer driver identifier but that corresponds to the same
21 printer driver due to a name of the printer driver being changed.

22
23 29. (Twice Amended) An apparatus including a server and a client, the
24 apparatus comprising:

25 a driver library including a plurality of printer drivers; and

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1 a driver matching module to select at least one of the plurality of printer
2 drivers [for installation] to be installed at the server to enable a printer attached to
3 the client to print, the selected at least one printer driver corresponding to [a] the
4 printer attached to the client to perform a printing action at the printer.

5
6 30. (Once Amended) An apparatus as recited in claim 29, wherein the driver
7 matching module further:

8 checks whether any of the plurality of drivers has a corresponding driver
9 identifier that is the same as a received driver identifier; and

10 wherein if a particular driver of the plurality of drivers has a corresponding
11 driver identifier that is the same as the received driver identifier, then install that
12 driver at the server.

13
14 31. (Once Amended) An apparatus as recited in claim 29, further comprising:

15 a mapping table to map previous driver identifiers to subsequent driver
16 identifiers;

17 wherein the driver matching module further checks the mapping table to
18 determine whether any of the plurality of drivers currently has a corresponding
19 driver identifier that is different than a received driver identifier but that is a
20 subsequent driver identifier mapped to the received driver identifier as a previous
21 driver identifier; and

22 if a particular driver of the plurality of drivers currently has a corresponding
23 driver identifier that is different than a received driver identifier but that is a
24 subsequent driver identifier mapped to the received driver identifier as a previous
25

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1 driver identifier, then the driver matching module further installs that driver at the
2 server.

3
4 32. (Once Amended) An apparatus as recited in claim 29, wherein the driver
5 matching module further:

6 checks whether any of the plurality of printer drivers has a corresponding
7 driver name that is the same as a received driver name; and

8 wherein if a particular printer driver of the plurality of printer drivers has a
9 corresponding driver name that is the same as the received driver name, then
10 install that printer driver at the server without regard for whether that particular
11 printer driver has a corresponding driver version that is the same as a received
12 driver version.

13
14 33. (Twice Amended) A system comprising:

15 a client computer having a local printer attached thereto; and

16 a server computer coupled to the client computer via a network, wherein the
17 server computer includes,

18 a driver library including a plurality of printer drivers, and

19 a driver matching module to select at least one of the plurality of
20 printer drivers for installation on the server computer to allow applications
21 executing on the server computer to print to the local printer, the driver
22 matching module selecting one of the plurality of printer drivers for
23 installation based on a printer driver identifier and according to the
24 following,
25

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1 if a particular printer driver of the plurality of printer drivers
2 has a corresponding printer driver identifier that is the same as the
3 received printer driver identifier, then selecting that particular driver
4 for installation in order to enable the local printer to print,

5 if a particular printer driver of the plurality of printer drivers
6 currently has a corresponding printer driver identifier that is different
7 than the received printer driver identifier but that corresponds to the
8 same printer driver as the received printer driver identifier, then
9 selecting that particular printer driver for installation in order to
10 enable the local printer to print, and

11 if a particular printer driver of the plurality of printer drivers
12 has a corresponding driver name that is the same as a driver name
13 received as part of the printer driver identifier, then selecting that
14 particular printer driver without regard for whether that particular
15 printer driver has a corresponding driver version that is the same as a
16 driver version received as part of the printer driver identifier for
17 installation on the server computer in order to enable the local
18 printer to print.

19
20 34. (Once Amended) A system as recited in claim 33, wherein the client
21 computer transmits the printer driver identifier to the server computer.
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1
2 Please add new claims 35-41 as follows:

3 35. (New) A computer readable medium having computer executable
4 instructions, which when executed by a processor, causes the processor to:

5 receive at the server a print request from the client for a driver identifier for
6 a printer that is attached to the client and can print information at the client;

7 use the driver identifier to select a closest matching driver of a plurality of
8 drivers to install at the server; and

9 install, at the server, the selected driver in order to enable applications that
10 are executing to print to the printer using the installed driver.

11
12 36. (New) A computer instruction of claim 35, wherein the applications that
13 are executing to the printer are running on the server.

14
15 37. (New) A computer instruction of claim 35, wherein the driver identifier
16 includes both a driver name and a driver version.

17
18 38. (New) A computer instruction of claim 35, wherein the using comprises
19 accessing a library at the server that stores the plurality of drivers.

20
21 39. (New) A computer instruction of claim 35, wherein:

22 the use comprises checking whether any of the plurality of drivers has a
23 corresponding driver identifier that is the same as the received driver identifier;
24 and
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1 if a particular driver of the plurality of drivers has a corresponding driver
2 identifier that is the same as the received driver identifier, then select that driver to
3 install at the server.

4
5 40. (New) A computer instruction of claim 35, wherein:

6 the use comprises checking whether any of the plurality of drivers currently
7 has a corresponding driver identifier that is different than the received driver
8 identifier but that corresponds to the same driver as the received driver identifier;
9 and

10 if a particular driver of the plurality of drivers currently has a corresponding
11 driver identifier that is different than the received driver identifier but that
12 corresponds to the same driver as the received driver identifier, then select that
13 driver to install at the server.

14
15 41. (New) A method of claim 1, wherein the selecting a closest matching
16 driver includes applying an exact match technique, a driver name mapping
17 technique, and a close match technique and considering the results from these
18 techniques.

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REMARKS

The amendments are an earnest effort to place the application in condition for allowance. In view of the following remarks, Applicant respectfully requests entry of the amended claim language, reconsideration of the application, and allowance of the subject application. The Applicant appreciates the Examiner Willett's telephone interview conducted on April 28, 2003 with the Applicant's Attorney Glenn Foster, during which the scope of claims were discussed. No agreement was reached during the Interview as to allowable subject matter. This amendment is believed to be fully responsive to all issues raised in the December 24, 2002 Office Action.

Rejection of the Claims

In the Office Action, claims 1-34 were rejected under 35 U.S.C. § 103(a) as being unpatentable.

Applicant respectfully requests reconsideration and allowance of the subject application. Claims 1, 2, 15, 26, 29, and 33 are amended by this response to the final rejection. Claims 1 to 34 remain pending in this application.

35 U.S.C. § 103

In the Office Action dated December 24, 2002, claims 1-34 stand rejected under 35 U.S.C. § 103 as being unpatentable over the Kathail et al (U.S. Patent Number 5,802,365, hereinafter the Kathail patent) in view of Cavill (U.S. Patent Number 6,003,069, hereinafter the Cavill Patent). Applicant respectfully traverses the rejection because the Kathail patent in combination with the Cavill patent, fails to teach or suggest the concepts taught in claims 1 to 34.

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The Applicant now distinguishes each claimset in order:

To distinguish the Kathail/Cavill combination from claim 1, as amended, the Applicant emphasizes that there is no suggestion in either the Kathail patent nor the Cavill patent to use "the driver identifier to select a closest matching driver of a plurality of drivers to install at the server", and to install "at the server, the selected driver in order to enable applications executing on the server to print to the printer using the installed driver".

Applicant describes the terms "client" and "server" as typically used in computer systems in a manner that has gained a general acceptance. The usage of these terms is reflected, for example, in Fig. 1 (and described in page 5 line 7 to page 6 line 9) of the present disclosure. The Applicant emphasizes the Kathail patent does not suggest positioning a driver at a server. The Kathail patent uses the word "client" to describe a client of a printer driver (such as an application) instead of a client under the client/server meaning of the word as in the present application.

Kathail describes the term "client" as a client of the device driver, but not a client of the server-client environment (column 31, lines 20-27). The term "server" does not even exist in the Kathail patent. By comparison, the term "client" as claimed within the present application relates to a client-server computer system, and describes quite distinctly what printing aspects are performed at the client and what printing aspects are performed at the server. Applicant submits that Kathail's Dynamic Matching Device does not teach the server-client environment of the present disclosure. The Applicant asserts that there is no server side suggested in Kathail largely because the computer is not

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1 necessarily a client nor a server as claimed in the client/server system of the
2 present disclosure.

3 In considering the Cavill patent, the Applicant notes that while Cavil does
4 show a client/server system, there is no teaching of selecting at least one of the
5 plurality of printer drivers for installation at the server in order to enable
6 applications executing on the server to print to the printer using the installed
7 driver.

8 To provide this interaction to effect printing between the client and the
9 server, however, Cavill configures the printer driver in a manner that is
10 inconsistent with claims 1-34 of the present disclosure. Cavill states "Under the
11 present invention, if the driver is written in a platform independent language such
12 as the Java® programming language, then the same driver software can be used on
13 any NC device that supports the Java Virtual Machine (JVM) definition. The only
14 additional requirement for this platform independence is the definition of a
15 common API that is the source of the graphics and text primitives" (column 3,
16 lines 51-57). Cavill therefore teaches platform independence in his system. There
17 is no suggestion in the Cavill patent, however, of selecting at least one of the
18 plurality of printer drivers for installation as claimed in claim 1.

19 One skilled in the art upon considering Cavill would not know which
20 printer driver to select nor where (in the claimed client/server system) to install the
21 driver. This claimed feature is therefore lacking in both the Kathail patent and the
22 Cavill patent. The Applicant therefore contends that maintaining the present
23 rejection considering this art of record requires the use of impermissible hindsight,
24 since this claimed feature is not taught nor suggested by either reference relied on
25 in the Office Action dated December 24, 2002.

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Further, claim 1 includes the language "receiving at the server a print request from the client for a driver identifier for a printer that is attached to the client and can print information at the client". The Kathail patent does not disclose using a driver in a client-server environment, and as such does not suggest receiving at the server a print request from the client for the driver identifier for a printer that is attached to the client and can print information at the server. The Cavill patent, which does include a server, does not receive a print request from the client for the driver identifier for a printer that is used to select a closest matching driver of a plurality of drivers to install at the server. Instead, Cavill's driver is written in a platform independent language, and therefore does not require a server to select a closest matching driver. Any suggestion to one having ordinary skill in the art to provide the claimed aspects of claim 1 is provided by the teachings of the present disclosure.

Combining the Kathail patent and the Cavill patent (to provide the Kathail/Cavill combination) would not overcome their lack of teaching of present claim 1. One having ordinary skill in the art, upon considering the Kathail patent, would not have applied the specific computer to a client or a server in a client-server environment. The Cavill patent does not teach "selecting a closest matching driver of a plurality of drivers to install" as claimed in claim 1. Instead, Cavill writes a printer driver based on platform independence. There is no teaching to combine the teachings of the Kathail patent (selecting a printer driver in a single system) with the teachings of the Cavill patent (printing on a client/server system where the installed printer driver is platform independent) to yield the present disclosure as claimed. As such, the platform independence

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1 requirement of Cavill would destroy any teachings of Kathail to select one printer
2 driver from a plurality of printer drivers.

3 Applicant submits that claims 2 to 14 define over the art of record for at
4 least the reasons provided since they are each dependent claims that depend from,
5 and therefore include the claimed limitations of, independent claim 1. Claims 2 to
6 14 define over the art of record at least because of their dependency from claim 1.

7 Considering the claim 5 language "if a particular driver of the plurality of
8 drivers has a corresponding driver identifier that is the same as the received driver
9 identifier, then selecting that driver to install at the server." There is no suggestion
10 in the Kathail patent to disclose a server. There is no suggestion in Cavill of how
11 to select a driver from a plurality of drivers that would be installed at a server
12 since Cavill teaches using a driver with platform independence.

13 Relating to the claim 15, there is no suggestion in either the Kathail patent
14 nor the Cavill patent (or the combination thereof) to automatically select at least
15 one of a plurality of drivers corresponding to a peripheral device attached to the
16 client, and then to install, at the server, the selected at least one driver. Several
17 reasons why there is no suggestion have been described above relative to claim 1.

18 Claim 15 includes the language "installing, at the server, the selected at
19 least one driver wherein the server can interface with the peripheral device using
20 the driver to cause the selected at least one driver to perform an action at the
21 peripheral device using the driver". The Kathail patent does not specifically
22 include a server, and as such does not suggest installing a driver at a server. The
23 Cavill patent does not install at the server the selected at least one of a plurality of
24 drivers to perform an action at the peripheral device using the driver. Instead,
25 Cavill's driver is written in a platform independent language, and therefore does

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1 not require a server to select a closest matching peripheral device. The only
2 suggestion in the Kathail/Cavill combination upon considering the present
3 disclosure to one having ordinary skill in the art to provide a peripheral device
4 (e.g., a printer) attached to a client as suggested by the teachings of claims 1-34.
5 Since the present claims as applied to the disclosure does not require a platform
6 independent language, the teachings of the Cavill patent, as would be used to
7 modify the Kathail patent, teach away from claim 15.

8 Applicant contends that claims 16 to 25 define over the art of record for at
9 least the reasons provided since they are each dependent claims that depend from,
10 and therefore include the claimed limitations of, independent claim 15. Applicant
11 has already indicated why claim 15 distinguishes over the Kathail/Cavill
12 combination. Further reasons why these dependent claims distinguish are now
13 described in order.

14 There is no suggestion in the Kathail/Cavill combination to recite
15 automatically selecting a driver within a client/server computer system as taught
16 by claim 15 of the present disclosure. As such, there is no teaching in the
17 Kathail/Cavill combination to suggest receiving a driver identifier from the client.
18 As to claim 17, there is no teaching in the Kathail/Cavill combination to access a
19 library at the server to use the driver identifier (the using includes selecting a
20 closest matching driver as recited in claim 15) since the Kathail patent does not
21 disclose a client/server configuration, and the Cavill patent does not disclose
22 selecting the closest matching driver.

23 Relative to claim 18, there is no teaching to check whether any of the
24 plurality of drivers has a driver identifier that is the same as the recited driver
25 identifier, and installing that driver at the server. The Kathail patent does not

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1 show a client/server configuration, and Cavill does not show installing the driver
2 that has a given driver identifier at the client. Several reasons why there is no
3 suggestion for the rejection based on the combination have been described above
4 relative to claim 1.

5 To distinguish **claim 26**, as amended, from the Kathail/Cavill combination
6 several reasons why there is no suggestion for the rejection based on the
7 combination have been described above relative to claim 1. Additionally, the
8 Applicant emphasizes that there is no suggestion in either the Kathail patent nor
9 the Cavill patent to "receive a printer driver identifier for a printer attached to a
10 client," and then use the printer driver identifier to select one of a plurality of
11 printer drivers to install at the server. The Kathail patent does not specifically
12 include a server, and as such cannot receive the driver identifier for a printer
13 attached to the client at the server.

14 The Cavill patent, which does include a server, does not receive a driver
15 identifier for a printer that is used to select one of a plurality of drivers to install at
16 the server. Instead, Cavill's driver is written in a platform independent language,
17 and therefore does not require a server to select one of a plurality of drivers. The
18 only suggestion in the Kathail/Cavill combination upon considering the present
19 disclosure to one having ordinary skill in the art to provide a printer attached to a
20 client is provided by the teachings of the present disclosure. The Cavill patent
21 installs at the server "a driver written in platform independent language." Since
22 the present disclosure as claimed does not require a platform independent
23 language, the Cavill patent teaches away from claim 26 as claimed. As such,
24 maintaining the rejection based on the Kathail/Cavill combination is improper.
25

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1 Applicant contends that claims 27 and 28 define over the art of record for at
2 least the reasons provided since they are each dependent claims that depend from,
3 and therefore include the claimed limitations of, independent claim 26. Applicant
4 has already indicated why claim 26 distinguishes over the Kathail/Cavill
5 combination.

6 To distinguish **claim 29**, as amended, from the Kathail/Cavill combination
7 several reasons why there is no suggestion for the rejection based on the
8 combination have been described above relative to claim 1. Additionally, claim
9 29 includes the language "a driver matching module to select at least one of the
10 plurality of printer drivers to be installed at the server to enable a printer attached
11 to the client, the selected at least one printer driver corresponding to the printer
12 attached to the client to perform a printing action at the printer". The Kathail
13 patent does not specifically suggest using a combined server computer or a client
14 computer since only one computer selects the printer driver. The Cavill patent
15 installs at the server "a driver written in platform independent language." Since
16 the present disclosure does not require a platform independent language, the Cavill
17 patent teaches away from the presently claimed disclosure of installing the
18 selected printer at the server in order to enable the selected printer. The only
19 motivation for one having ordinary skill in the art to provide the Kathail/Cavill
20 combination to "select a printer driver for installation at the server, the printer
21 driver corresponding to a printer attached to a client" is provided by the teachings
22 of claim 29 and the disclosure.

23 Applicant contends that claims 30, 31, and 32 each define over the art of
24 record for at least the reasons provided since they are each dependent claims that
25 depend from, and therefore include the claimed limitations of, independent claim

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29. Applicant has already indicated why claim 29 distinguishes over the Kathail/Cavill combination. Further reasons why these dependent claims distinguish are now described in order.

Claims 30, 31, and 32 each include conditional language similar to "if a ..., then install that printer driver at the server." The Kathail patent does not show a driver applied to a server (or a client) that is arranged in a client/server configuration. The Cavill patent does not teach installing a selected printer driver at the server. The Kathail/Cavill combination teaches away from installing one of a plurality of printer drivers at the server for printing at the client.

To distinguish claim 33, as amended, from the Kathail/Cavill combination several reasons why there is no suggestion for the rejection based on the combination have been described above relative to claim 1. Claim 33 includes the limitations:

- a client computer having a local printer attached thereto; and
- a server computer coupled to the client computer via a network, wherein the server computer includes:

- ...selecting that particular printer driver without regard for whether that particular printer driver has a corresponding driver version that is the same as a driver version received as part of the printer driver identifier for installation on the server computer in order to enable the local printer to print.

The Kathail patent does not specifically suggest using a server computer or a client computer since the computer that selects the printer driver is the one that is attached to the printer. The Cavill patent installs a driver written in platform independent language at the server. Since claim 33 does not require a platform independent language, the Cavill patent teaches away from the teachings of present claim 33.

Applicant submits that claim 34 defines over the art of record since it is a dependent claim that depends from, and therefore includes the claimed limitations

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1 of, independent claim 33. The Applicant has already indicated why claim 33
2 distinguishes over the Kathail/Cavill combination.

3 Claims 34 includes the language wherein the client computer transmits the
4 printer driver identifier to the server computer. The Kathail patent does not show
5 a computer system segmented into client computers and server computers. The
6 Cavill patent does not suggest transmitting a printer driver. The Kathail/Cavill
7 combination teaches away from transmitting the printer driver to the server.

8 New claims 35-41 are added by this amendment. Consideration and entry
9 of these claims are requested. Claim 35 is includes the preamble "computer
10 readable medium having computer executable instructions, which when executed
11 by a processor, causes the processor to...". Otherwise, the language is similar to
12 claim 1. For this reasons, Applicant submits that claim 35 should be allowed for
13 at least the reasons described above relative to claim 1. In addition, claims 36 to
14 40 which depend from claim 35 should be allowed for at least the reasons
15 described above relative to claim 1 and its dependent claims.

16 New claim 41 is added which depends from claim 1, and includes the
17 further limitations "wherein the selecting a closest matching driver includes
18 applying an exact match technique, a driver name mapping technique, and a close
19 match technique and considering the results from these techniques". These
20 matching and mapping techniques are described in the disclosure on page 12, lines
21 5 to 14. As such, reconsideration and allowance of new claims 35-41 is requested
22 for at least these reasons.

23 **Conclusion**

24 Claims 1-41 are in believed to be in condition for allowance for at least the
25 reasons described above. Applicant respectfully requests reconsideration and

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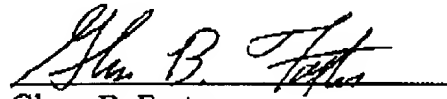
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1 prompt issuance of the present application. Should any issue remain that prevents
2 immediate issuance of the application, the Examiner is encouraged to contact the
3 undersigned attorney to discuss the unresolved issue.

4 Respectfully Submitted,

5 Lee & Hayes, PLLC
6 421 W. Riverside Avenue, Suite 500
7 Spokane, WA 99201

8 Dated: 6/24/03

9 
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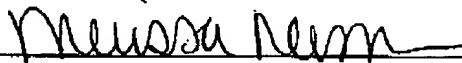
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Glenn B. Foster, Reg. No. 32,676

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Serial No.: 09/454,221

Filing Date: Dec 09, 1999

Title: "Printer Driver Identification for a Remote Printer"

Inventorship: Appiah et al.



1. Fee Transmittal
2. Request for Continued Examination Transmittal
3. Petition for Extension of Time
4. Response To Final Rejection Dated December 24, 2002 (26) pages
5. Return Post Card

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